



ESSER II Frequently Asked Questions (FAQs)

Disclaimer: All the information below is based upon the Indiana Department of Education's (IDOE) review of the law and information available to date. This information is subject to change as final guidance and information is released by the U.S. Department of Education (USED), but IDOE is releasing this information so that local education agencies (LEAs) can begin work in anticipation of these funds and the steps needed to participate.

Questions may be sent to Cole Dietrich, at adietrich@doe.in.gov or you can contact him at 317-233-0786.

UPDATED 8/16/2021

GENERAL INFORMATION:

1. What about prior approval that is required for construction and capital projects? Do we need to submit anything to IDOE in addition to the ESSER II application?

No, LEAs do not need to submit any additional documentation to IDOE for prior approval for construction or capital projects as the IDOE ESSER II application satisfies this requirement for prior written approval. LEAs are to follow state and local policies and implement ESSER II activities in accordance with the approved application.

2. What is ESSER II?

ESSER II is a second stimulus and emergency COVID relief funding stream authorized as part of the CRRSA Act that was enacted on December 27th, 2020.

3. What are the requirements to receive ESSER II funding?

Public school districts and public charter schools are eligible for ESSER II funding. The allocation is formula based and is based on the district or school's proportional share of the Title I allocation.

4. What are the funding opportunities?

Currently IDOE is prioritizing the formulaic distribution of funding to districts and schools.



Indiana Department of Education

Dr. Katie Jenner, Secretary of Education

5. Are only Title I schools eligible to receive support through ESSER II?

No. Even though the Title I formula dictates how much money the *district* receives, once the district receives the funding then it may support any of its schools, both Title I and non-Title I. There are many allowable uses under the original CARES Act, including Title I, II, III, IV, 21st Century CLC, Perkins, McKinney-Vento, and additional uses such as cleaning, mental health, summer school, and more.

Therefore, once the LEA receives the funding, the Title I rules of Title I schools only, Title I eligible children, and rank and serve do not apply to the ESSER II funding.

6. Where do I apply?

LEAs will apply for ESSER II funding through the current Title I App Center at www.title1.doe.in.gov. IDOE is currently preparing the application, which will solely consist of a district level budget, and streamlined narratives and assurances.

7. How much funding will I receive?

Based upon the current information, IDOE has generated an *estimate* for each LEA, which can be found [HERE](#). This information will change, as this is just an estimate and final figures are not yet available.

IDOE anticipates the release of final ESSER II allocations in early March 2021.

8. Can I charge an indirect cost rate to this grant?

Yes. An LEA that has an approved indirect cost rate with IDOE may charge this rate to ESSER II funding. This is only applicable to those LEAs that have applied and received an indirect cost rate.

9. What administrative % does the grant allow?

ESSER II statute does not call out a specific administrative figure, so LEAs are encouraged to budget a reasonable amount for administration. Statute limits IDOE to only charging a .5% rate for administration. With that very low threshold for IDOE's own administration, IDOE does not expect LEAs to charge a substantial amount for



Indiana Department of Education

Dr. Katie Jenner, Secretary of Education

administration for an ESSER II Program Administrator's time. Therefore, a general guideline shall be that LEAs should not charge more than 10 percent of their figure for administrative costs of a Program Administrator to carry out ESSER II activities, and this percentage should be less if a lower figure would be more reasonable and necessary.

10. What pre-award costs are allowed?

The ESSER II period of allowability is March 13, 2020 to September 30th, 2023. This means approve activities dating back to 3/13/2020 are allowed.

11. What are the grant timelines?

ESSER II funds must be encumbered (meaning all approved activities have occurred) by 9/30/2023. The last date for liquidation and final reimbursement is 12/15/2023.

12. What steps do LEAs need to take regarding Equitable Services?

ESSER II does not require an equitable share be calculated for non-public schools.
Non-public schools will apply direction to IDOE through the EANS program.

13. What if my LEA is not eligible for Title I funds, or turned down the Title I funds in the past?

LEAs who did not generate a figure for Title I in 2020-2021 (e.g. small adult charters) or who turned down the Title I funds, may still receive support through IDOE's 10 percent set-aside ESSER II that is not governed by the Title I formula. IDOE will issue a grant opportunity for LEAs who did not receive ESSER II funds.

14. How do I track expenditures?

LEAs will track expenditures for the CARES Act and ESSER II separately even though the grants share a CFDA.

15. What account numbers do I use?

CFDA Number: 84.425D
Federal Award ID Number: S425D210013
Fund Number: 7931
Receipt Number: 4990

16. How do I request reimbursement?



Indiana Department of Education

Dr. Katie Jenner, Secretary of Education

Through the Title I App Center at www.title1.doe.in.gov, the LEA will be able to request reimbursement according to their submitted budgets. Reimbursements are due the first and fifteenth of each month, just like for other federal grants.

17. What indirect cost rate is allowed for ESSER II?

As there is no supplement not supplant provision, LEAs may utilize the unrestricted indirect cost rate on ESSER II if they opt to do so. LEAs may continue to use the restricted rate. Please work with your federal grant specialist to make an amendment, as needed.

ALLOWABLE USES SECTION:

1. Can ESSER funds be used to support vaccination efforts?

Yes, ESSER funds can be used on a wide variety of ways to support vaccination efforts. This includes incentives for staff for receiving vaccination for COVID-19. ESSER funds can be used to support activities that will increase community and student outreach and engagement for vaccinations as well as activities that will increase vaccination rates. Possible allowable activities or expenditures could include reasonable space rental, transportation costs, staffing, and costs associated with coordination with state and local health departments.

2. What are the allowable activities?

ESSER II has a wide array of allowable activities that tie to any activity currently allowed under federal education law, including:

- NEW: Activities **reducing virus transmission** and **other health hazards**
- NEW: Activities **improving air quality**
- NEW: **Addressing learning loss** among students, **including low income students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children and youth in foster care...** including by :
 - Administering and using **high quality assessments** that are valid and reliable



Indiana Department of Education

Dr. Katie Jenner, Secretary of Education

- Implementing evidence-based activities to **meet comprehensive needs of students**
- Providing information and **assistance to parents and families** on how they can effectively support students
- Tracking student attendance and **improving student engagement in distance education**

Plus: Any activity allowed under the original CARES Act:

- Any activity authorized by the ESEA of 1965 (Titles I, II, III, IV, IC Migrant, ID Neglected and Delinquent, 21st Century Community Learning Centers, and Rural and Low Income Schools Grant)
- Individuals with Disabilities Education Act (IDEA)
- Adult Education and Family Literacy Act (20 U.S.C. 1400 et seq.),
- Carl D. Perkins Career and Technical Education
- McKinney-Vento Homeless Assistance Act
- Coordination of preparedness and response efforts of local educational agencies with State, local, Tribal, and territorial public health departments, and other relevant agencies, to improve coordinated responses among such entities to prevent, prepare for, and respond to coronavirus
- Providing principals and others school leaders with the resources necessary to address the needs of their individual schools
- Activities to address the unique needs of low-income children or students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth, including how outreach and service delivery will meet the needs of each population
- Developing and implementing procedures and systems to improve the preparedness and response efforts of local educational agencies
- Training and professional development for staff of the local educational agency on sanitation and minimizing the spread of infectious diseases
- Purchasing supplies to sanitize and clean the facilities of a local educational agency, including buildings operated by such agency



Indiana Department of Education

Dr. Katie Jenner, Secretary of Education

- Planning for and coordinating during long term closures, including for how to provide meals to eligible students, how to provide technology for online learning to all students, how to provide guidance for carrying out requirements under the Individuals with Disabilities Education Act (20 U.S.C. 1401 et 10 seq.) and how to ensure other educational services can continue to be provided consistent with all Federal, State, and local requirements
 - Purchasing educational technology (including hardware, software, and connectivity) for students who are served by the local educational agency that aids in regular and substantive educational interaction between students and their classroom instructors, including low-income students and students with disabilities, which may include assistive technology or adaptive equipment
 - Providing mental health services and supports
 - Planning and implementing activities related to summer learning and supplemental afterschool programs, including providing classroom instruction or online learning during the summer months and addressing the needs of low-income students, students with disabilities, English learners, migrant students, students experiencing homelessness, and children in foster care
 - Other activities that are necessary to maintain the operation of and continuity of services in local educational agencies and continuing to employ existing staff of the local educational agency
3. Our school is open-concept and the school has outside safety evaluations indicating health hazards related to the open design, in addition to increased risk of virus transmission. Can we use ESSER II to build walls?

Yes, provided the costs are reasonable and the health and safety data tie to allowable ESSER II uses. The health and safety data and tie to virus reduction make this an allowable expense.



Indiana Department of Education

Dr. Katie Jenner, Secretary of Education

4. We want to start an afterschool program. Can we renovate part of a building to house an afterschool program to help address learning loss and the need for additional space and capacity to carry out the afterschool program with proper COVID protocol to reduce virus transmission?

Yes, provided costs are reasonable.

5. Our HVAC system is failing. I have documentation detailing this and have documentation for upgrades that show increased air flow, reduced virus transmission (such as filtration), or overall improved air quality because of needed upgrades. Is this allowable?

Yes, activities to reduce virus transmission, other health hazards, and to improve indoor air quality are allowed.

6. Can these funds be used to expand eLearning for students and setting up a virtual school setting for my district?

Yes.

7. Can carpet/flooring be replaced?

Possibly, as long as there is justification for the cost being tied to an ESSER II-allowable activity, such as flooring that has asbestos. Provided the district has this documentation of the tie to reducing health hazards and/or improving air quality (as in the case of asbestos).

8. Can funds be used to pay for transportation for afterschool programs, etc. related to ESSER II?

Yes, as this is transportation necessary to carry out the afterschool program (which is allowable under ESSER II). Regular transportation costs that are related to the pandemic (i.e., additional busses for additional routes to allow for social distancing) are allowable.

9. Can funds be used to pay for early staff retirement?

No. This is not related to the ESSER II allowable activities.



Indiana Department of Education

Dr. Katie Jenner, Secretary of Education

10. Can we buy Promethium (smart boards) to help carry out virtual learning and for in-person use?

Yes. Educational technology is allowable both to address learning loss and accelerated learning, but allows the schools to better meet the needs of students.

11. Can it be used to bring mental health services in? We have seen an increased need for supports since COVID.

Yes. Please visit the IDOE Office of [Social Emotional and Behavioral Wellness](#) site for more content-specific support.

12. Can ESSER II funds be used for staff stipends?

Yes.

As with all federal funds, **ESSER funds may only be used to pay staff for work that has actually occurred. Therefore, LEAs must ensure that the work on allowable activities occurred through proper time and effort documentation.** Stating all staff will receive stipends (**regardless of whether the work was performed and documented**) will likely result in audit risk.

While across the board stipends are not permitted (**as “universal” or “across the board” does not in and of itself demonstrate sufficient documentation**), LEAs may pay staff for COVID-related work that has been documented. Most, if not all, staff likely had extra responsibilities as well as time and effort to respond to the pandemic. ESSER funds can be used to pay staff for that work and LEAs are responsible for documenting (with internal controls) that this work occurred. **This is consistent with guidance on all salary and stipend payments with all federal funds.**

The purpose of time and effort recording is to provide documentation showing of the time spent working on specific federal programs to ensure charges are accurate for each program. Time and effort records do not necessarily need to be personnel activity reports (PARs).

Other ways to record time and effort include, but are not limited to:

- A schedule
- Hourly or percent of the distribution of time spent

Time and effort records must:



Indiana Department of Education

Dr. Katie Jenner, Secretary of Education

- Be supported by a system of internal controls which provides reasonable assurance that the charges are accurate, allowable, and properly allocated.
- Be incorporated into the official records of the non-federal entity.
- Reasonably reflect the total activity for which the employee is compensated by the non-federal entity, not exceeding 100% of compensated activities.
- Encompass both federally assisted and all other activities compensated by the non-federal entity on an integrated basis, but may include the use of subsidiary records as defined in the non-federal entity's written policy. For example, if a 1.0 FTE employee is partially funded with federal funds, the time and effort records must include both federal and non-federal activities.
- Comply with the established accounting policies and practices of the non-federal entity.
- Support the distribution of the employee's salary or wages among specific activities or cost objectives if the employee works on more than one federal award; a federal award and non-federal award; an indirect cost activity and a direct cost activity; two or more indirect activities which are allocated using different allocation bases; or an unallowable activity and a direct or indirect cost activity. Part 200 clarifies that time can be expressed as a percentage distribution among cost objectives versus the number of actual hours worked – while this was accepted in the past, it was not explicitly permissible. 2 CFR 200.430(l) (1)(ix).

13. NEW: 4/20/21 Does the Davis-Bacon act and associated requirements apply to construction projects funded with ESSER II or III funds?

Yes, the Davis-Bacon prevailing wage regulations will be applicable to construction projects funded with ESSER funds. IDOE recommends LEAs consult with local counsel regarding Davis-Bacon Act requirements.

MISCELLANEOUS:

1. What about EANS (Emergency Assistance for Non-Public Schools)? Does the LEA have to do anything to administer this?



Indiana Department of Education

Dr. Katie Jenner, Secretary of Education

No, the LEA will not be responsible for administering the EANS program for non-public schools.

2. Will LEAs and schools be monitored? Will there be a data collection?

IDOE will monitor district implementation of ESSER II funds based on standard risk assessment procedures. IDOE anticipates a data collection due to the US Department of Education regarding state and local ESSER II expenditures.